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Report of the Economic and Social Council

Programme budget for the biennium 2002-2003

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2002*

Report of the Secretary-General

Summary

The present report details budgetary requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2002. These relate to activities in the area of non-governmental organization matters, human rights and narcotic drugs. The expenditure requirements arising as a result of the resolutions and decisions are estimated at $1.8 million, of which $800,000 could be absorbed. The remaining $600,000 of requirements for appropriation would be subject to the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987. Recommendations are made as to how the General Assembly may wish to manage these requirements in the context of the consolidated statement of revised estimates and statements of programme budget implications.

* The delayed submission is due to the need to consult on the possibilities for absorption of costs.

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I. Introduction

1. At its substantive session of 2002, the Economic and Social Council adopted a number of resolutions and decisions in which it authorized relevant functional commissions, standing committees or expert bodies to undertake additional activities, including meetings, in excess of those initially proposed in the programme budget for 2002-2003.[1] In accordance with rule 31 of its rules of procedure, the Council was provided, where appropriate, with statements of programme budget implications prior to the adoption of those resolutions and decisions. The additional requirements entailed by the Council resolutions and decisions are described below.

2. With regard to additional conference-servicing requirements, in each relevant case, the Council was informed of the full cost of the additional services to be provided and that provisions had not been made in the proposed programme budget for the biennium 2002-2003. In the light of the experience in 2000-2001, when substantial conference services overexpenditures were incurred, the Council was informed that, if any meeting could not be held on dates that the Department of General Assembly and Conference Management could not service without additional costs, it would not be possible to absorb the related conference servicing costs and those requirements would need to be met through additional appropriations by the General Assembly.

3. In its report on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999 (A/54/7/Add.2), the Advisory Committee on Administrative and Budgetary Questions requested that future reports on the subject contain full cost estimates, including both conference and non-conference costs, of additional requirements. In response to that request, the additional requirements resulting from the resolutions and decisions adopted by the Council in 2002 to be financed from the existing provisions of the programme budget for the biennium 2002-2003 are provided in annex I to the present report.

II. Additional requirements entailed by resolutions and decisions adopted by the Council

A. Decision 2002/224
Resumed 2002 session of the Committee on Non-Governmental Organizations

4. Under the terms of decision 2002/224 of 22 July 2002, the Economic and Social Council decided to authorize the Committee on Non-Governmental Organizations to hold a resumed session for a period of two weeks and three days, from 8 to 24 January 2003, in order to complete the work of its 2002 session.

5. The Committee on Non-Governmental Organizations was informed that the adoption of that decision would entail additional resource requirements of $414,200 under section 2, General Assembly affairs and conference services, and $19,100 under section 27D, Office of Central Support Services, of the programme budget for the biennium 2002-2003. The Committee was also informed that those requirements

could not be met from existing resources and would need to be met through an additional appropriation. A further review of the implications of decision 2002/224 carried out by the Secretariat recently has concluded that the additional requirements can be met from existing resources. Therefore, no additional appropriation is required.

B. Decision 2002/257
Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights

6. Under the terms of decision 2002/257 of 25 July 2002, the Economic and Social Council authorized the open-ended working group established to elaborate policy guidelines on structural adjustment programmes and economic, social and cultural rights, to meet for two weeks well in advance of, and at least four weeks prior to, the fifty-ninth session of the Commission on Human Rights with a mandate to: (a) continue working on the elaboration of basic policy guidelines on structural adjustment programmes and economic, social and cultural rights which could serve as a basis for a continued dialogue between human rights bodies and international financial institutions, and (b) report to the Commission at its fifty-ninth session.

7. The Council was informed that the adoption of decision 2002/257 would entail additional resource requirements of $267,400 under section 2, General Assembly affairs and conference services, and $3,600 under section 27E, Administration, Geneva, of the programme budget for the biennium 2002-2003. The Council was also informed that those requirements could not be met from existing resources and that they would need to be met through an additional appropriation. A further review of the implications of decision 2002/257 carried out by the Secretariat recently has concluded that the additional requirements cannot be met from existing resources.

C. Decision 2002/270
Racism, racial discrimination, xenophobia and related intolerance

8. In its decision 2002/270, the Economic and Social Council took note of Commission on Human Rights resolution 2002/68 of 25 April 2002, and approved the decision of the Commission:

(a) To establish an intergovernmental working group, with the following mandate:

(i) To make recommendations with a view to the effective implementation of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;[2]

(ii) To prepare complementary international standards to strengthen and update international instruments against racism, racial discrimination, xenophobia and related intolerance in all their aspects;

(b) To establish a working group of five independent experts on people of African descent, appointed on the basis of equitable geographical representation by

the Chairman of the fifty-eighth session of the Commission, in consultation with regional groups, to meet for two sessions of five working days each prior to the fifty-ninth session of the Commission, in closed and public meetings, with a mandate:

(i) To study the problems of racial discrimination faced by people of African descent living in the Diaspora and to this end gather all relevant information from Governments, non-governmental organizations and other relevant sources, including through holding public meetings with them;

(ii) To propose measures to ensure full and effective access to the justice system by people of African descent;

(iii) To submit recommendations on the design, implementation and enforcement of effective measures to eliminate racial profiling of people of African descent;

(iv) To elaborate short-, medium- and long-term proposals for the elimination of racial discrimination against people of African descent, including proposals for a mechanism to monitor and promote all their human rights, bearing in mind the need for close collaboration with international and development institutions and the specialized agencies of the United Nations system to promote the human rights of people of African descent, inter alia through:

a. Improving the human rights situation of people of African descent by devoting special attention to their needs, inter alia, through the preparation of specific programmes of action;

b. Designing special projects, in collaboration with people of African descent, to support their initiatives at the community level and to facilitate the exchange of information and technical know-how between these populations and experts in these areas;

c. Developing programmes intended for people of African descent allocating additional investments to health systems, education, housing, electricity, drinking water and environmental control measures and promoting equal opportunities in employment, as well as other affirmative or positive action initiatives, within the human rights framework;

(c) To request the Working Group of Experts on People of African Descent to submit a report to the Commission at its fifty-ninth session;

...

(e) To keep the mandate of the independent eminent experts under constant review;

(f) To request the Secretary-General to establish and administer, in accordance with the Financial Regulations and Rules of the United Nations, a voluntary fund to provide additional resources for:

(i) The effective implementation of the Durban Declaration and Programme of Action, in particular in developing countries;

(ii) The participation of people of African descent, representatives of developing countries, especially the least developed countries, non-

governmental organizations and experts in the open-ended sessions of the Working Group of Experts on People of African Descent;

(iii) The activities of the Committee on the Elimination of Racial Discrimination;

(iv) National, regional and international activities to counter racism, racial discrimination, xenophobia and related intolerance, including the holding of seminars;

(v) The anti-racial discrimination activities of the Anti-Discrimination Unit of the Office of the High Commissioner;

...

9. The Council was provided with a statement of programme budget implications (E/2002/L.6/Add.1). A summary of those implications appears below.

10. The establishment of the Working Group of five Independent Experts on People of African Descent would require provisions for the travel and subsistence of the experts in the amount of $51,500 for the two sessions. Although the Council was informed that that amount would need to be provided through an additional appropriation, upon further review of actual expenditures as of 1 September 2002, it is now anticipated that the Office of the High Commissioner for Human Rights will be in a position to absorb those costs.

11. Additional conference-servicing resources in the total amount of $667,100 to hold the meetings of the two working groups prior to the fifty-ninth session of the Commission on Human Rights would be required as follows:

Intergovernmental Working Group

	United States dollars
Section 2, General Assembly affairs and conference services	256 100
Section 27E, Administration, Geneva	5 400
Total	**261 500**

Working Group of five Independent Experts on People of African Descent

	United States dollars
Section 2, General Assembly affairs and conference services	397 600
Section 27E, Administration, Geneva	8 000
Total	**405 600**

12. Upon further review of the resources available for conference and meeting services for the biennium 2002-2003, it has been determined that, given the specific dates involved, these conference servicing requirements can be met within resources approved for the biennium 2002-2003 if the working groups meet on the following dates:

	Available dates
Intergovernmental Working Group	2-13 December 2002
Working Group of five Independent Experts	28 October to 1 November 2002
	3 to 7 February 2003

13. The Office of the High Commissioner has verified that the working groups will meet on these dates. Under these conditions, no additional appropriation would be required to convene these meetings before the fifty-ninth session of the Commission on Human Rights.

D. Decision 2002/281
Organization of the work of the fifty-ninth session of the Commission on Human Rights

14. Under the terms of decision 2002/281 of 25 July 2002, the Economic and Social Council authorized 14 fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedures of the functional commissions of the Council, for the Commission's fifty-ninth session, and approved the Commission's decision to request the Chairperson of the fifty-ninth session of the Commission to make every effort to organize the work of the session within the time normally allotted, so that the additional meetings that the Council authorized would be utilized only if they proved to be absolutely necessary.

15. The Economic and Social Council was informed that the additional resource requirements entailed by that decision included $267,800 under section 2, General Assembly affairs and conference services, and $16,400 under section 27E, Administration, Geneva, of the programme budget for the biennium 2002-2003, and that those requirements needed to be provided through an additional appropriation. A review carried out recently by the Secretariat has concluded that it will not be possible to meet those additional requirements without an additional appropriation.

E. Decision 2002/285
Second session of the Permanent Forum on Indigenous Issues

16. By its decision 2002/285 of 25 July 2002, the Council decided that the second annual session of the Permanent Forum on Indigenous Issues would be held at United Nations Headquarters in New York from 12 to 23 May 2003.

17. As the General Assembly has approved resources for the second annual session of the Forum to be held in Geneva, the decision of the Council to authorize the holding of that session in New York entails additional requirements related to the differential costs of meetings, daily subsistence allowance and travel between New York and Geneva. These additional resource requirements include $44,700 under section 22, Human rights, and $107,300 under section 2, General Assembly affairs and conference services.

18. The Council was informed that it was not anticipated that these additional costs could be absorbed from within the resources approved by the General Assembly for the biennium 2002-2003 (see E/2002/L.33). Upon review of the

approved calendar of conferences and meetings for the biennium 2002-2003, it has been determined that the conference-servicing costs related to the holding of the second session of the Forum in New York from 12 to 23 May 2003 can be absorbed using existing resources.

III. Overall requirements

19. As shown in annexes I and II, the implications of Economic and Social Council resolutions and decisions adopted at its substantive session of 2002 would give rise to expenditures of $1,866,300, of which $1,266,400 can be absorbed, leaving a requirement for appropriation as follows:

Section 2	535 200
22	44 700
27E	20 000
Total	**599 900**

Annex II provides a tabulation of these requirements by decision.

IV. The contingency fund

20. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under the procedure in paragraph 9 of annex I to Assembly resolution 41/213, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned would be able to be implemented only through the redeployment of resources from low-priority areas or modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

21. It is not possible at this stage to identify activities within sections 2, 22, and 27E of the programme budget for the biennium 2002-2003 that could be terminated, deferred, curtailed or modified during the biennium.

22. Consequently, a net additional provision of $599,900 will be required over and above the resources in the programme budget for the biennium 2002-2003. This provision would represent a charge against the contingency fund and, as such, would require increases in appropriations for the biennium 2002-2003 as detailed in paragraph 19 above.

23. Under the procedures for the operation of the contingency fund outlined in part C of the annex to General Assembly resolution 42/211, the present statement of revised estimates should contain a precise indication of how the alternatives would be applied as regards either redeployment of resources from low priority areas or modification of existing activities or deferral to a later biennium. As the Economic and Social Council is a Charter organ, it would not appear to be within the authority of the General Assembly to modify adopted decisions of the Council so as to defer

their implementation to the biennium 2004-2005. It may be considered appropriate, however, to invite the Council to review its decision E/2002/281 regarding the work of the fifty-ninth session of the Commission on Human Rights. In any event, it may be observed that the related meeting servicing costs of $284,200 are contingent in nature and may not be required should the Commission find that it does not need to avail itself of the possible addition of 14 meetings to its regular schedule.

24. As regards the possible termination, curtailment or modification of other activities, it may also be observed that over 90 per cent of the required appropriations to implement Economic and Social Council decisions relate to meeting services. As the actual availability of meeting servicing resources inevitably involves a degree of uncertainty in view of the changes that frequently occur in meeting schedules, the impact of servicing the additional meetings authorized by the Council will only be known towards the end of 2003.

V. Recommendation

25. **The General Assembly may wish, in the context of its review of the consolidated requirements chargeable to the contingency fund, to recommend action by the General Assembly along the following lines:**

(a) **Approve the provision of $44,700 in additional appropriations under section 22 as a charge against the contingency fund for financing activities in respect of Economic and Social Council decision 2002/285;**

(b) **Invite the Economic and Social Council to review its decision 2002/281 with a view to ensuring that additional meetings of the Commission on Human Rights are not required in connection with its fifty-ninth session;**

(c) **Request the Secretary-General to provide such conference services as might be required consequent to Economic and Social Council decisions 2002/257 and 2002/281, as reviewed, and to report to the General Assembly at its fifty-eighth session on the related expenditures in the context of the second performance report on the programme budget for the biennium 2002-2003.**

Notes

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 6* (A/56/6/Add.2).

[2] See A/CONF.189/12, chap. I.

Annex I

Cost estimates of additional activities to be financed from within the existing provisions of the programme budget for the biennium 2002-2003[a]

Economic and Social Council resolutions and decisions		*Budget section*	*Additional requirements (in United States dollars)*				
			Substantive	*General Assembly affairs and conference services (sect. 2)*	*Office of Central Support Services (sect. 27D)*	*Administration, Geneva (sect. 27E)*	*Total*
Resolution							
2002/65	Human rights and indigenous issues	22	7 200				
Decisions							
2002/240	Report of the Commission on Narcotic Drugs on its forty-fifth session and provisional agenda and documentation for the forty-sixth session of the Commission	15					
2002/224	Resumed 2002 session of the Committee on Non-Governmental Organizations			414 200	19 100		
2002/270	Racism, racial discrimination, xenophobia and related intolerance	22	51 500	653 700		13 400	
2002/285	Second session of the Permanent Forum on Indigenous Issues	22		107 300			
Total			**58 700**	**1 175 200**	**19 100**	**13 400**	**1 266 400**

[a] The estimates of the cost of the additional activities requested by the Commission on Human Rights relating to perennial activities will be financed from the existing provisions; therefore, such costs are not included in this table.

[b] Conference servicing for the intersessional meetings would be held at Vienna on an as available basis and would not entail additional costs.

Annex II

Summary of Economic and Social Council decisions requiring appropriation

Decision No.		*Section 22, Human rights (i)*	*Section 2, General Assembly affairs and conference services (ii)*	*Section 27E, Administration, Geneva (iii)*	*Total sections (iv)*
E/2002/257	Effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights		267 400	3 600	271 000
E/2002/281	Organization of the work of the fifty-ninth session of the Commission on Human Rights		267 800	16 400	284 200
E/2002/285	Second session of the Permanent Forum on Indigenous Issues	44 700			44 700
	Appropriation required	**44 700**	**535 200**	**20 000**	**599 900**